

Exhibit K

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Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
Master docket No. 18-MD-2865 (LAK)
Case Nos. 18-cv-09505

3
4 IN RE:)
)
)

5 CUSTOMS AND TAX ADMINISTRATION OF)
6 THE KINGDOM OF DENMARK (SKATTEFOR)
7 VALTNINGEN) TAX REFUND SCHEME)
LITIGATION,)
)
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14 REMOTE VTC VIDEOTAPED DEPOSITION UNDER ORAL

15 EXAMINATION OF

16 ROBIN JONES

17 DATE: November 4, 2020
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25 REPORTED BY: MICHAEL FRIEDMAN, CCR

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1 THE VIDEOGRAPHER: This is the
2 remote video recorded deposition of
3 Robin Jones.

4 Today is Wednesday November 4,
5 2020. The time is now 10:03 a.m. in the
6 Eastern time zone. We're here in the
7 matter of In Re, Customs and Tax
8 Administration of the Kingdom of Denmark
9 et al. All counsel have been noted on
10 record.

11 My name is Jose Rivera, remote
12 video technician on behalf of Gregory
13 Edwards LLC.

14 At this time, will the reporter,
15 Michael Friedman, on behalf of Gregory
16 Edwards LLC, please swear in the
17 witness.

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1 ROBIN JONES,

2 called as a witness, having been first
3 duly sworn according to law, testifies as follows:
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8 EXAMINATION BY MR. WEINSTEIN:

9 Q Good morning, Ms. Jones?

10 A Good morning.

11 Q My name is Marc Weinstein. I'm
12 with the law firm Hughes, Hubbard & Reed. We
13 represent the plaintiff, SKAT, in this
14 litigation.

15 I will be asking you the questions
16 throughout the day. A few rules of the road
17 just to make the day a little bit easier, and
18 I promise there are easier to follow than the
19 Electoral College rules.

20 Basically, the main thing is we
21 want to get down your testimony, make sure
22 the answers that you give are based on your
23 full understanding of the questions, and that
24 perhaps the most person in our virtual room,
25 Mike, the court reporter, can get down
everything that everybody is saying.

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1 Is that about the time frame that
2 you understood that the company was formed?

3 MS. RICE: Objection. You can
4 answer.

5 A Yeah, yes.

6 Q And there's a reference to a
7 company called Vcorp Services LLC, which is
8 the registered agent.

9 Have you ever heard of Vcorp
10 before?

11 A I have not.

12 Q Okay. So I take it, have you ever
13 communicated, as far as you know, with anyone
14 at Vcorp in order to help establish entities
15 on your behalf?

16 A Not to my knowledge, no.

17 Q All right. Do you know if anyone
18 else on your behalf communicated with Vcorp
19 Services in order to form any entities on
20 your behalf?

21 A Not that I remember, no. Not to my
22 knowledge.

23 Q At the time that Monomer Industries
24 LLC was formed, did you intend to conduct any
25 business using that entity?

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1 A There was some business conducted.

2 Q Okay. And what business was that?

3 A It was advertising advice. It was
4 my -- of what I do for a living.

5 Q All right. And so is
6 this -- withdrawn.

7 The advertisement advice that you
8 just described, did that work separate from
9 your role at Omnicom?

10 A Yes.

11 Q All right. Can you tell us what
12 kind of jobs you did using the Monomer
13 Industries LLC entity?

14 A Other than what I just mentioned?

15 Q Well, no. If you could just more
16 fully describe what you did just mention, the
17 advertising advice?

18 A Oh, I just -- I gave advice on
19 behalf -- on -- on different markets, what --
20 the different mediums that are involved.
21 Again, it was a while ago.

22 I recall that there was discussion
23 about streaming because that was, you know,
24 starting to become much more relevant,
25 over-the-top, "OTT."

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1 Q Did you have any clients or
2 customers that engaged Monomer Industries LLC
3 in order to perform those services?

4 A I don't understand the question.

5 Q Sure. Well, let's start with this.

6 Did Monomer Industries LLC have any
7 customers or clients?

8 A Customers or clients? Yes. I
9 mean -- did they have any customers or
10 clients?

11 I believe so.

12 Q Okay. When did Monomer Industries
13 LLC get its first paying customer or client?

14 A 2000 -- I don't remember the exact
15 date of when the payment was -- was received.

16 Q Okay. How many customers or
17 clients has Monomer Industries LLC had over
18 time?

19 A I believe there was just one.

20 Q All right. Do you recall
21 approximately when it was that that -- do you
22 recall the customer or client in this
23 industry?

24 A It's a client.

25 Q Okay. Do you recall when that

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1 client first retained Monomer Industries LLC
2 to perform services on its behalf?

3 A I don't recall the exact date.

4 Q All right. Do you recall the year?

5 A 2015, I want to say.

6 Q Okay. Do you recall approximately
7 how much Monomer Industries LLC was paid by
8 this client?

9 A I believe it was about 13,000 or
10 so.

11 Q Do you recall the name of that
12 client?

13 A It was -- it was one of my
14 brother's companies.

15 Q You don't recall the name of it?

16 A I -- I believe it was RJM, but I
17 don't recall. I think that's what it was.

18 Q What kind of business did RJM
19 conduct?

20 A I don't know.

21 Q How were you able to provide
22 advertising advice to a company that you
23 didn't know what business it conducted?

24 MS. RICE: I object. Both
25 argumentative and hard to understand.

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1 If you can answer, Robin, answer. If
2 you can't, I'm sure Mr. Weinstein will
3 rephrase it for you.

4 A Yes. If you can rephrase it, I
5 would appreciate it.

6 Q Sure. Well, do you recall what
7 kind of advertising advice the RJM company
8 requested of your company?

9 A Just general advertising advice, as
10 I just told you.

11 Q All right. And typically, when you
12 provide advertising advice to a client, do
13 you have some understanding of the client's
14 business?

15 A Sometimes.

16 Q All right. And at the time, did
17 you have any understanding of your brother's
18 business through RJM?

19 A No.

20 Q Other than -- well, withdrawn.

21 Do you have any -- any records or
22 documents reflecting the work that was done
23 by Monomer Industries LLC on behalf of your
24 brother's entity, RJM?

25 A What type of documents?

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1 Q Any type of documents.

2 A No. It was conversation.

3 Q Okay. So as far as you recall,
4 there were never any documents that reflected
5 the work that was done on behalf of RJM by
6 your company?

7 A Again, I'm unclear what you mean by
8 "documents." I mean --

9 MS. RICE: Documents at her
10 companies, right?

11 MR. WEINSTEIN: Yes, that's right.

12 MS. RICE: So can you ask her
13 again, and be more specific? It might
14 help.

15 MR. WEINSTEIN: Sure.

16 Q Let's start with this.

17 Do you have any e-mail
18 communications between yourself or your
19 company and your brother's company that
20 reflects any conversation about the work that
21 was being done?

22 A I don't believe there were any
23 e-mails.

24 Q All right. Did you have to perform
25 any kind of written work plan in order to

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1 execute the work that was going to be done on
2 behalf of RJM?

3 A No.

4 Q Were there -- was there any written
5 agreement between RJM and your company,
6 Monomer, regarding the terms of the
7 engagement of Monomer?

8 A Not that I'm aware of.

9 Q Were -- did Monomer Industries LLC
10 issue any invoices to RJM reflecting the
11 amount that was ultimately paid by RJM?

12 A I don't believe so.

13 Q Do you recall anything about the
14 actual advertising advice that you provided
15 to your brother's company?

16 MS. RICE: Objection. Other than
17 what she's already testified about?

18 MR. WEINSTEIN: Well, I think other
19 than saying she provided advertising
20 advice, she actually hasn't testified
21 about what that advice was, so.

22 MS. RICE: That's not -- that's not
23 accurate.

24 MR. WEINSTEIN: Okay. Well, then
25 indulge me.

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1 Q Do you recall -- tell us everything
2 you can about the advertising advice provided
3 by your company to RJM.

4 A Yes. I gave -- I gave -- as I
5 mentioned, I gave -- I guess you would say
6 updates on the industry in regards to -- I
7 mentioned over-the-top, OTT, which streaming
8 was just coming into -- into being, I guess,
9 for lack of a better word -- what entities
10 were -- and companies were sold, and where
11 you could go to buy advertising time.

12 Q And did you have any understanding
13 of what RJM's interest was in the streaming
14 space for which you were providing advice?

15 A I did not.

16 Q Do you know if RJM ever followed
17 your advice and purchased any advertising in
18 that space?

19 A I do not.

20 Q Other than what you've described,
21 have you performed other advertising services
22 or advice for RJM?

23 A No.

24 Q Again, other than what you've now
25 described, as far as you recall, has Monomer

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1 Industries conducted any other business?

2 A No. Not that I'm aware of, no.

3 Q Did Monomer Industries LLC have a
4 bank account?

5 A Yes.

6 Q Where was that bank account
7 maintained?

8 A At Wells Fargo.

9 Q Who opened up the account?

10 A I did.

11 Q Did you do that at anybody's
12 instruction?

13 A At the instruction of my brother.

14 Q Okay. What did he tell you about
15 opening up a bank account for the Monomer
16 entity?

17 A Just to go open up a bank account.

18 Q All right. Did he tell you why
19 Monomer Industries LLC needed a bank account?

20 A No, he did not.

21 Q All right. Do you recall if that
22 account was funded with any money at the time
23 that it was opened?

24 A Yes, yes.

25 Q How much?

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1 A That, I don't recall.

2 Q Who funded that account when it was
3 opened?

4 A I don't recall.

5 Q Do you recall if it was you?

6 A I do not recall.

7 Q After the account was opened and
8 initially funded, do you know if that account
9 received any other deposits?

10 A Yes.

11 Q And what deposits do you recall
12 having been received into that bank account?

13 A It was a deposit of -- like I said,
14 around 15 or \$13,000.

15 Q From RJM?

16 A I believe so, yes.

17 Q All right. Other than that money
18 received from RJM, do you recall if there
19 were other deposits into the Monomer LLC bank
20 account?

21 A I don't believe so.

22 Q Okay. Is that account still in
23 existence today?

24 A No.

25 Q Okay. What -- what happened to the

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1 13,000, approximately, that was deposited
2 into that account?

3 A It was spent on, I believe, to the
4 best of my knowledge, tuition for college for
5 my kids, some other -- I don't remember the
6 exact figures or places where it went.

7 Q Okay. Do you know if Monomer
8 Industries LLC filed any tax returns for the
9 year in which it received the money?

10 A Yes.

11 Q Okay. And that -- meaning, it did?

12 A It did, yes.

13 Q If you look at the next two
14 exhibits -- so it's 1166, which has the Bates
15 number VCS 205, and 1167, which has the Bates
16 number VCS 229.

17 (Whereupon the above mentioned was
18 marked for Identification.)

19 Q 1166 is a Certificate of Formation
20 of Pinax Holdings, LLC.

21 Do you know what Pinax Holdings LLC
22 is?

23 A Yes. It's one of my companies.

24 Q All right. Do you know who set
25 that up on your behalf?

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1 A I believe it was Kaye Scholer.

2 Q At the time it was set up, were you
3 the sole owner?

4 A Yes.

5 Q Had you been the sole owner the
6 entire time?

7 A Yes.

8 Q All right. With respect to the
9 formation of Pinax Holdings LLC, did you
10 personally have any conversations with
11 Kaye Scholer prior to it being set up?

12 A No.

13 Q How about with respect to the
14 Monomer entity that we looked at before?

15 A No.

16 Q Does Pinax Holdings LLC conduct any
17 business?

18 A Yes.

19 Q What business did Pinax Holdings
20 LLC conduct?

21 A Same business as the advertising.

22 Q Did Pinax Holdings LLC have any
23 clients?

24 A Yes, I believe so.

25 Q Okay. How many clients does Pinax

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1 Holdings LLC have?

2 A Just one.

3 Q What's the name of the client?

4 A Well, it was -- I don't know which
5 company. It was my brother.

6 Q So it was a company that your
7 brother owned?

8 A I believe so, yes.

9 Q Do you know if it was the same
10 company as before, the RJM entity, or was it
11 a different entity?

12 A I think it was the same, but I'm
13 not -- I'm not a hundred percent sure.

14 Q And it looks as though Pinax
15 Holdings was formed at the same time as
16 Monomer Industries.

17 Were the services that it provided
18 to your brother's company around the same
19 time as the services provided by Monomer?

20 A Yes.

21 Q All right. Was there any
22 difference in the services provided?

23 A No.

24 Q We went through different types of
25 records before.

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1 Do you know if Pinax Holdings had
2 any records relating to the services provided
3 to your brother's company?

4 A No, not that I'm aware of.

5 Q All right. Were there e-mail
6 communications at the time about that?

7 A No, not that I'm -- no, I don't
8 believe so.

9 Q Okay. And so why did your
10 brother's company require services from two
11 different companies that you had formed?

12 MS. RICE: Objection.

13 MR. WEINSTEIN: I will -- let me
14 reframe it.

15 Q Why did your brother's company
16 require two different companies of yours to
17 provide the same services?

18 A I don't know.

19 Q How much was Pinax Holdings paid by
20 your brother's company?

21 A I believe it was around the same
22 amount of money that the other company was
23 paid.

24 Q Other than that -- the services
25 provided to your brother's company, has Pinax

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1 Holdings ever conducted any business?

2 A No, not that I'm aware of.

3 Q At any time did your brother tell
4 you that these LLCs needed to be formed in
5 order to participate in that investment
6 opportunity you discussed earlier?

7 A Yeah, I don't -- he -- he may have.
8 I don't recall that, though.

9 Q Do you know if Pinax Holdings LLC
10 still exists?

11 A Again, I don't -- I believe it
12 does. I don't know.

13 Q Did Pinax Holdings LLC have a bank
14 account?

15 A Yes.

16 Q Who opened that up?

17 A I did.

18 Q All right. Was it funded at the
19 time it was opened?

20 A Yes.

21 Q Do you recall how much was put in?

22 A I do not.

23 Q Do you know what the source of the
24 money was that was used for that deposit?

25 A I don't recall.

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1 Q All right. The money that your
2 brother's company paid to Pinax, was it
3 deposited into this bank account that you
4 just talked about?

5 A Yes.

6 Q Other than that deposit, do you
7 recall any other deposits going into the
8 Pinax Holdings bank account?

9 A I don't recall any.

10 Q What did you do with the money in
11 that account?

12 A The same. I mean, I don't recall
13 exactly, but I know tuition.

14 Q Okay. Do you know if there's any
15 money left in that bank account today?

16 A There's not.

17 Q Do you know who came up with the
18 name Monomer Industries for the LLC?

19 A I do not.

20 Q Is there any significance to the
21 name, in your mind?

22 A No.

23 Q Do you know who came up with the
24 name Pinax Holdings?

25 A I do not.

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1 Q Is there any significance to that
2 name to you?

3 A No.

4 Q All right. If you look at
5 Exhibit 1167?

6 MR. WEINSTEIN: That's the
7 Certificate of Formation for Sternway
8 Logistics LLC.

9 Q Do you know what that entity is?

10 A A company I own.

11 MR. WEINSTEIN: Exhibit 1167, Bates
12 numbers VCS 229, previously marked.

13 Q At all times, were you the sole
14 owner of Sternway Logistics LLC?

15 A Yes.

16 Q Do you know who caused that entity
17 to be formed?

18 A Again, I believe it was
19 Kaye Scholer law firm.

20 Q All right. Prior to its formation,
21 did you have any discussions with
22 Kaye Scholer about opening that entity?

23 A No, I did not.

24 Q Do you know who requested that
25 Kaye Scholer open that entity on your behalf?

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1 A No, I don't. I don't recall, no.

2 Q Did Sternway Logistics LLC conduct
3 any business?

4 A Yes.

5 Q What business did it conduct?

6 A Again, it was advertising related.

7 Q And did it have any clients?

8 A Yes.

9 Q How many clients has Sternway
10 Logistics LLC had?

11 A One.

12 Q Who was the client?

13 A Again, it was -- it was a
14 conversation with my brother.

15 Q And the conversation, was it one
16 conversation about all three of these
17 entities, or was it separate?

18 A It was one conversation. I recall
19 it was one conversation.

20 Q Okay. Do you know which entity was
21 the client of Sternway Logistics LLC?

22 A Can you -- I don't understand the
23 question.

24 Q Sure. I think with respect to
25 Monomer, you thought that the entity that

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1 your brother owned was RJM?

2 A Yes.

3 Q All right. Do you know if that's
4 the same entity that was the client of
5 Sternway Logistics, or was it a different
6 entity?

7 A I don't recall that.

8 Q All right. But as far as you
9 recall, were there any documents in your
10 possession or Sternway's position concerning
11 business provided?

12 A I don't recall. I don't believe
13 so.

14 Q All right. Did your brother or his
15 entity ever pay Sternway Logistics for
16 services provided?

17 A Yes.

18 Q How much, if you recall?

19 A Around the same, 13,000.

20 Q Other than that payment, has
21 Sternway Logistics LLC earned any other
22 income over time?

23 A No, I don't believe so.

24 Q Did Sternway Logistics LLC have a
25 bank account?